

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Mark BOCKO et al. Confirmation No. 2566
Serial No. : 10/565,704 Examiner : Not Yet Assigned
Filed : January 23, 2006 Group Art Unit: Not Yet Assigned
For : SYSTEM AND METHOD FOR IMAGE SENSING AND PROCESSING

PETITION TO WITHDRAW HOLDING OF ABANDONMENT
UNDER 37 C.F.R. § 1.181

FILED ELECTRONICALLY
ON JANUARY 10, 2008

Attn: PCT Legal Dept.
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants hereby Petition to Withdraw the Abandonment status under 37 C.F.R. §1.181 in the above-noted application. Provided herein is a concise summary statement of facts as well as supportive documentation regarding the response as filed. Applicants believe that no fees are due in conjunction with this petition. In the event that fees are due, however, the Director is hereby authorized to charge payment of any such fees, or to credit any overpayment, to Deposit Account No. 02-4377.

Statement of Facts

On July 19, 2006, the USPTO issued a Notification of Missing Requirements which Applicants' attorney received on July 25, 2006. A response was due on September 19, 2006, extendible up to and February 19, 2007. A copy of the Notification is attached hereto.

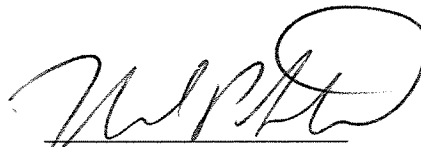
On August 7, 2006, Applicants filed a Submission of Missing Requirements, an executed Combined Declaration and Power of Attorney, Transmittal Forms and a check in the amount of \$165.00. The documents were sent to the USPTO by First Class Mail along with a return post card itemizing the documents submitted. A complete set of documents as filed on August 7, 2006 is provided.

Applicants received the return postcard from the USPTO stamped received August 9, 2006. A copy of this return postcard is provided.

On December 17, 2007, Applicants received a Notice of Abandonment dated December 7, 2007 (copy enclosed).

Based on the supporting documentation provided herewith, Applicants hereby petition the USPTO to withdraw any abandonment status as the submission was timely filed as evidenced. Notification to that effect is requested.

Respectfully submitted,



Neil P. Sirota
Patent Office Reg. No. 38,306
Attorney for Applicants

Dated: January 10, 2008

BAKER BOTTS L.L.P.
30 Rockefeller Plaza
New York, NY 10112--4498
(212) 408-2548



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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10/565,704

Niel P Sirota
Baker Botts
30 Rockefeller Plaza
New York, NY 10112

BAKER BOTTS LLP
RECEIVED

DEC 17 2007

074423.0107

A35672-PCT-
USA(074424.010)

INTERNATIONAL APPLICATION NO.

PCT/US03/23160

I.A. FILING DATE	PRIORITY DATE
07/24/2003	

CONFIRMATION NO. 2566
371 ABANDONMENT/TERMINATION
LETTER



OC000000027165367

Date Mailed: 12/07/2007

NOTIFICATION OF ABANDONMENT

The United States Patent and Trademark Office in its capacity as a Designated / Elected Office (37 CFR 1.495) has made the following determination:

- Applicant has failed to respond to the notification of MISSING REQUIREMENTS (Form PCT/DO/EO/905), mailed 07/19/2006 within the time period set therein.

Therefore, the above identified application failed to meet the requirements of 35 U.S.C. 371 and 37 CFR 1.495, and is ABANDONED AS TO THE UNITED STATES OF AMERICA.

DONNA S GREENE

Telephone: (703) 308-9140 EXT 222

FOR

NPS

DOCKETED FOR

FEB 07 2008

BY ECG

Petition to Revoke

In Re:	Mark BOCKO.		10/565,704
	(Applicant)		(Serial No.)
In Re:	*Executed Declaration/	08/07/06	35672-PCT-USA
			074423.0107
	(Title of Paper)	(Date)	(File No.)

The stamp of the Patent Office Mail Room hereon acknowledges the receipt of the above-identified papers on the date indicated by such stamp.

*Power of Attorney with Transmittal Form, Fee Transmittal, Copy of Notification of Missing Requirements Under 35 U.S.C. 371, Submission of Missing Requirements, and check for \$165.00 attached.

MAIL STOP MISSING REQUIREMENTS

NY02:556965.1

In Re:	Mark BOCKO.		10/565,704
	(Applicant)		(Serial No.)
In Re:	*Executed Declaration/	08/07/06	35672-PCT-USA
			074423.0107
	(Title of Paper)	(Date)	(File No.)

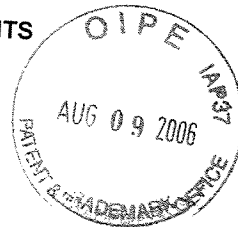
The stamp of the Patent Office Mail Room hereon acknowledges the receipt of the above-identified papers on the date indicated by such stamp.

*Power of Attorney with Transmittal Form, Fee Transmittal, Copy of Notification of Missing Requirements Under 35 U.S.C. 371, Submission of Missing Requirements, and check for \$165.00 attached.

MAIL STOP MISSING REQUIREMENTS

IAP7 Rec'd PCT/PTO 09 AUG 2006

NY02:556965.1

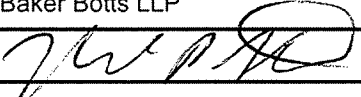


Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

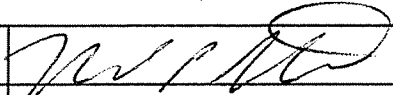
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/565,704
	Filing Date	01/23/2006
	First Named Inventor	Bocko et al.
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission		Attorney Docket Number 074423.0107 (A35672-PCT-USA)

ENCLOSURES (Check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input checked="" type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Return Receipt Postcard
Remarks <input type="text"/>		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Baker Botts LLP	Customer No.	21003
Signature			
Printed name	Neil P. Sirota		
Date	08/07/2006	Reg. No.	38,306

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:			
Signature			
Typed or printed name	Neil P. Sirota	Date	08/07/2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

☒ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 165.00)

Complete if Known

Application Number	10/565,704
Filing Date	01/23/2006
First Named Inventor	Bocko et al.
Examiner Name	
Art Unit	
Attorney Docket No.	074423.0107 (A35672-PCT-USA)

METHOD OF PAYMENT (check all that apply)☒ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None☒ Deposit Account:Deposit
Account
Number
Deposit
Account
Name

02-4377

Baker Botts L.L.P.

The Director is authorized to: (check all that apply)

☐ Charge fee(s) indicated below ☒ Credit any overpayments☒ Charge any additional fee(s) or any underpayment of fee(s)☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.**FEE CALCULATION****1. BASIC FILING FEE**

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1001	2001	Utility filing fee	
1002	2002	Design filing fee	
1003	2003	Plant filing fee	
1004	2004	Reissue filing fee	
1005	2005	Provisional filing fee	
SUBTOTAL (1)			(\$ 0)

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20 =		=0
Multiple Dependent	-3 =		=0

Large Entity Fee Code	Small Entity Fee Code	Fee Description	Fee Paid
1202	2202	Claims in excess of 20	
1201	2201	Independent claims in excess of 3	
1203	2203	Multiple dependent claim, if not paid	
1204	2204	** Reissue independent claims over original patent	
1205	2205	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)			(\$ 0.00)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)**3. ADDITIONAL FEES**

Large Entity Small Entity

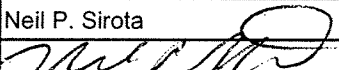
Fee Code	Fee Code	Fee Description	Fee Paid
1051	2051	Surcharge - late filing fee or oath	65
1052	2052	Surcharge - late provisional filing fee or cover sheet	
1053	1053	Non-English specification	
1812	1812	For filing a request for ex parte reexamination	
1804	1804	Requesting publication of SIR prior to Examiner action	
1805	1805	Requesting publication of SIR after Examiner action	
1251	2251	Extension for reply within first month	
1252	2252	Extension for reply within second month	
1253	2253	Extension for reply within third month	
1254	2254	Extension for reply within fourth month	
1255	2255	Extension for reply within fifth month	
1401	2401	Notice of Appeal	
1402	2402	Filing a brief in support of an appeal	
1403	2403	Request for oral hearing	
1451	1451	Petition to institute a public use proceeding	
1452	2452	Petition to revive - unavoidable	
1453	2453	Petition to revive - unintentional	
1501	2501	Utility issue fee (or reissue)	
1502	2502	Design issue fee	
1503	2503	Plant issue fee	
1460	1460	Petitions to the Commissioner	
1807	1807	Processing fee under 37 CFR 1.17(q)	
1806	1806	Submission of Information Disclosure Stmt	
8021	8021	Recording each patent assignment per property (times number of properties)	
1809	2809	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	2810	For each additional invention to be examined (37 CFR 1.129(b))	
1801	2801	Request for Continued Examination (RCE)	
1802	1802	Request for expedited examination of a design application	
Other fee (specify) Claim Fees			100

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 165.00)

SUBMITTED BY

(Complete if applicable)

Name (Print/Type)	Neil P. Sirota	Registration No. (Attorney/Agent)	38,306	Telephone	212-408-2500
Signature		Date	08/07/2006		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

This collection of information is required by 37 CFR 1.17 and 1.27. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

BAKER BOTTS L.L.P.

ATTORNEYS AT LAW

30 Rockefeller Plaza

44th and 45th floors

New York, New York 10112-0228

INQUIRIES:(212) 705-5000

TAXPAYER I.D. #74-1195457

Invoice No.	Date	Voucher	Gross Amount	Discount	Net Amount
AP0006321	08/07/2006	45th Floor-A. Wright 1289357	165.00	0.00	165.00
Check No. 177846		Check Date 08/07/2006	Vendor No. 11135		
Vendor Name COMMISSIONER OF PATENTS AND			Total Amount 165.00		

Chase Bank, N.A.
New York, New York**BAKER BOTTS L.L.P.**

ATTORNEYS AT LAW

New York Operating Account

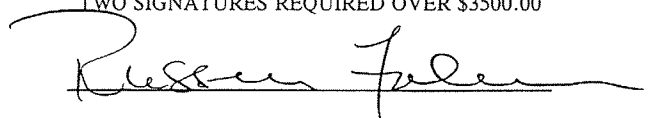
CHECK # 177846
DATE 08/07/2006 $\frac{1-2}{210}$

\$ *****165.00

PAY ONE HUNDRED SIXTY-FIVE AND 00/100 Dollars

NOT NEGOTIABLE SIX MONTHS
FROM THE DATE OF ISSUE

TWO SIGNATURES REQUIRED OVER \$3500.00

TO
THE
ORDER
OFCOMMISSIONER OF PATENTS AND
TRADEMARKS

⑈ 177846 ⑈ ⑆ 021000021 ⑈ ⑈ 967340306 ⑈



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/565,704	Mark Bocko	A35672-PCT-USA (074424.010)

Niel P Sirota
 Baker Botts
 30 Rockefeller Plaza
 New York, NY 10112

RECEIVED

074423.0107

INTERNATIONAL APPLICATION NO.	
PCT/US03/23160	
I.A. FILING DATE	PRIORITY DATE
07/24/2003	

CONFIRMATION NO. 2566
 371 FORMALITIES LETTER



OC000000019665502

Date Mailed: 07/19/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Indication of Small Entity Status
- Copy of the International Application filed on 01/23/2006
- Copy of the International Search Report filed on 01/23/2006
- Preliminary Amendments filed on 01/23/2006
- Information Disclosure Statements filed on 01/23/2006
- U.S. Basic National Fees filed on 01/23/2006

BAKER BOTTS LLP
 05 AUG -2 PM 12:44

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$100 as a small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

1/19/2004 (4th ext.)
 2/19/2004 (7th ext.)
 10/19/2006 (1st ext.)
 11/19/2006 (2nd ext.)
 12/19/2006 (3rd ext.)

Docketed

Total additional fees required for this application is **\$265** for a Small Entity:

- **\$65 Surcharge.**
 - The application examination fee has not been paid. Applicant must submit **\$100** to complete the examination fee for a small entity in compliance with 37 CFR 1.27. Note a surcharge will be required if submitted later than commencement of the national stage (37 CFR 1.492(h)) and the basic national fee was not paid before July 1, 2005.
- Total additional claim fee(s) for this application is **\$ 100**
 - **\$100** for 1 independent claims over 3.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/565,704	PCT/US03/23160	A35672-PCT-USA (074424.010)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s) : Boehmer et al. Customer No. : 62907
Serial No. : 10/595,268 Confirmation No. : TBD
Filed : 04/03/2006 Group Art Unit : TBD
Examiner : TBD
For : Latent Carbon Dioxide Generating Material

SUBMISSION OF MISSING REQUIREMENTS

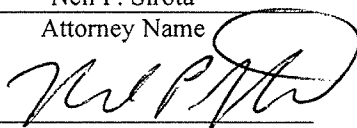
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

August 7, 2006

Date of Deposit

Neil P. Sirota

Attorney Name



Signature

38,306

PTO Reg. No.

August 7, 2006

Date of Signature

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed herewith is a Combined Declaration and Power of Attorney referring to the above-identified application by one or more of the following in compliance with 37 C.F.R. 1.497(a) and (b) and 37 CFR 1.492(e):

- ☐ Name of inventors and application serial number;
- ☐ Name of inventors, attorney docket number which was on the application as filed, and filing date of the application;
- ☐ Name of inventors, title of invention and filing date;
- ☒ International Application Number and International Filing Date;

- ☐ Name of inventors, title of invention and reference to a specification which is attached to the oath or declaration at the time of execution and filed with the oath or declaration;
- ☒ Name of inventors, title of invention. As presently advised, the undersigned, a registered attorney, states that the application filed in the PTO is the application which the inventor executed by signing the oath or declaration.

FEES DUE

- ☐ Applicant does not believe that any additional fee is required in connection with the submission of this document. However, should any fee be required, or if any overpayment has been made, the Commissioner is hereby authorized to charge any fees, or credit or any overpayments made, to Deposit Account 02-4377.
- ☒ Applicant has enclosed the required fee of \$165.00 for the late declaration surcharge and additional claims fees. Should any additional fee be required, or if any overpayment has been made, the Commissioner is hereby authorized to charge any fees, or credit or any overpayments made, to Deposit Account 02-4377.

Respectfully submitted,

BAKER BOTTS L.L.P.

By: 

Neil P. Sirota
Patent Office Reg. No. 38,306

Baker Botts L.L.P.
30 Rockefeller Plaza
New York, NY 10112-4498

Attorneys for Applicant(s)
(212) 408-2500